

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

JOHN W. HARDIN	§	
VS.	§	CIVIL ACTION NO. 1:22cv463
BRYAN COLLIER, ET AL.	§	

ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

John W. Hardin, proceeding *pro se*, filed this civil rights lawsuit against Bryan Collier, Aaron Thompkins, Bruce Frederick and Reginald Chambers. The Court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that a motion to dismiss filed by the defendants be denied with respect to defendants Frederick and Chambers and granted to the extent that plaintiff's attempt to serve defendants Collier and Thompkins is quashed. The Magistrate Judge further recommends that plaintiff be allowed 30 days to properly serve defendants Collier and Thompkins.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. No objections have been filed to the Report and Recommendation.

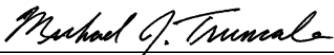
ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge [Dkt. 35] is ADOPTED as the opinion of the Court. The motion to dismiss [Dkt. 17] is DENIED with respect to defendants Frederick and Chambers and GRANTED to the extent that plaintiff's attempt to serve defendants Collier and Thompkins is quashed. The Clerk of Court shall deliver summonses and copies of the complaint to plaintiff so that he may serve defendants Collier and Thompkins. Plaintiff shall have 30 days from receipt of the summonses to serve defendants Collier and Thompkins. Along with a copy of this Order, the Clerk shall provide plaintiff with a copy of the Order and Advisory Regarding Service of Process [Dkt.

8] previously entered. This document contains information regarding how to properly serve a defendant.

In light of the foregoing, plaintiff's motion seeking an extension of time to serve the defendants [Dkt. 18] is DENIED as moot.

SIGNED this 13th day of February, 2024.

A handwritten signature in black ink, reading "Michael J. Truncala", written over a horizontal line.

Michael J. Truncala
United States District Judge